SINGLE BENCH (3)

15

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 2349 /2005.

PETITIONER
DEFENDANT

SHIV MOORAT PRASAD SHARMA aged about 50 years Proprietor Sharma Cloth Store R/o Bartarai Tahsil Kotma Distt. Shahdol (M.P.).

VERSUS

RESPONDENT
PLAINTIFF

Rajjulal Jain son of Suddhulal Jain aged 50 years, Proprietor Vardhaman Cloth Store R/o Pendra Tahsil Pendra Road Distt. Bilaspur (C.G.).

P.R. No. 2115/05
Presented by Shri R.K. Tiwari
dated 10.05.05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT, ORDER & DIRECTION ETC.

(15)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ...W.P.No...2341/05... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	17-6-2005 Heard Shri Ram Kumar Tiwari, counsel for the petitioner. The petitioner has preferred this writ petition under Article 227 of the Constitution of India questioning the legality, propriety and correctness of the order dated 19-4-2005 passed by the Civil Judge, Class-II, Pendra Road, District Bilaspur whereby the learned Civil Judge has allowed the application of respondent filed under Order 6 Rule 17 of the C.P.C. for amendment of the plaint. I have perused the impugned order in which the learned Civil Judge has mentioned that the amendment sought for is essential and same is not going to change the nature of the case. The only amendment sought by the plaintiff was that son of the defendant Pradeep used to come to the plaintiff for purchase of the clothes. Having heard learned counsel for the petitioner and having perused the impugned order, I am of the opinion that the petitioner has not been able to make out a case for interference by this Court under Article 227 of the Constitution of India because it is not a case where the trial Court has failed to exercise the jurisdiction which is vested in him or has exercised the jurisdiction with material irregularity, therefore, I do not find any substance in this petition and the same is liable to be dismissed and it is accordingly dismissed at the admission stage itself. Consequently, M.(W.)P. No.1894/2005 also stands disposed of. **Sd/-** **L.C. Bhadoo** **Judge**	
Barve		

(पीछे देखिये)